

**WEST VALLEY CITY, UTAH**

**RESOLUTION NO. \_\_\_\_**

**A RESOLUTION APPROVING AN INTERLOCAL  
COOPERATIVE AGREEMENT WITH THE UTAH  
TELECOMMUNICATION OPEN INFRASTRUCTURE  
AGENCY.**

**WHEREAS**, West Valley City (the “City”) is a member of the Utah Telecommunication Open Infrastructure Agency (“UTOPIA”), an interlocal cooperative entity created under the Interlocal Cooperation Act, Title 11, Chapter 13, Utah Code Ann. 1953, as amended (“Interlocal Act”), for the purpose of providing an advanced communications network to the residents and businesses of its parties; and

**WHEREAS**, UTOPIA entered into a certain financial transaction, backed by a pledge and loan agreement from the City, which has become the subject of a dispute; and

**WHEREAS**, it is in the best interests of the City to ensure that reasonable efforts are undertaken to pursue resolution of the dispute; and

**WHEREAS**, the Interlocal Act allows the City to share revenues with other political subdivisions; and

**WHEREAS**, The City has determined it is in its best interest to provide revenues to UTOPIA for the express and limited purpose of pursuing resolution of the dispute.

**WHEREAS**, an Interlocal Cooperative Agreement in substantially the form attached hereto as Exhibit A has been prepared for such purpose.

**WHEREAS**, UTOPIA is willing to accept such designation and perform such duties, and

**WHEREAS**, the City Council of West Valley City, Utah, does hereby determine that it is in the best interest of the health, safety and welfare of the residents of West Valley City to enter into the above described Interlocal Cooperative Agreement with UTOPIA.

**NOW, THEREFORE BE IT RESOLVED** by the City Council of West Valley City, Utah, that the Interlocal Cooperative Agreement is approved in substantially the form attached hereto as Exhibit A, and the Mayor is hereby authorized to sign the Agreement with such minor modifications as are deemed necessary between the parties and that have been approved by the City Manager and the City Attorney’s Office; provided, however, that any such modifications shall not materially alter the terms and conditions of the Agreement.

PASSED and APPROVED this \_\_\_\_\_ day of March, 2010.

WEST VALLEY CITY

\_\_\_\_\_  
MAYOR

ATTEST:

\_\_\_\_\_  
CITY RECORDER